

**NEW HAMPSHIRE BOARD OF NURSING
MINUTES
August 21, 2014**

Recorder: Kathryn Dickson, Executive Secretary

TOPIC	DISCUSSION	ACTION
1.0 Call to Meeting		Meeting called to order at 8:00 a.m. with N. Fortin (NF) Board member, presiding. Board members present: K. Kidder (KK), B. Fersch (BF), H. Featherston (HF), T. Collins (TC), C. Smith (CS), J. Kuras (JK), A. Finn-Waddell (AF) R. Petrin (RP) joined Board at 8:30 a.m. Board members absent: R. Duhaime (RD), K. Baranowski (KB) Board staff present: D. Nies (DN), A. Pavlidis (AP), L. Tetreault (LT), S. Goodness (SG), K. Dickson (KD)
1.1 Open Forum	None	
1.2 Addendum		7.1.2.1 L. Dodge, LNA, Add'l documentation
1.2.1 Additions		7.1.3.1 A. Durgin, RN, VS
		13.1 LTC Subcommittee report
1.2.2 Deletions	None	
1.3 Appearances		4.1 J. Barnes 8:30 a.m. 7.1.1 A. Wilkinson 9:15 a.m. 7.1.2 L. Dodge 9:45 a.m. 7.1.3 A. Durgin 10:15 a.m. 9.2.3 J. McKenzie 10:45 a.m. 9.2.1 A. Belisle 1:00 p.m. 9.2.2 P. Haken 1:20 p.m. 8.1.2 H. Treannie 1:35 p.m. 10.1.1 MCPHS 1:45 p.m. 8.1.1 A. Nielson 2:00 p.m.

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2.0 Approval of minutes 2.1 July 17, 2014 Regular Board meeting minutes	Reviewed and discussed.	M/HF, S/TC to approve minutes as written. Unanimous.
4.0 Report of Executive Director/Staff 4.1 Expense Summary Budget 4.3 Discussion of delegation of rescue medications to unlicensed personnel	Reviewed and discussed budget with Jeanne Barnes. Discussed information on BON website regarding “Unlicensed Personnel.”	FYI. Board consensus to update advisory adding “Nurses may delegate rescue medications to unlicensed personnel after considering the following.....”
6.0 Report of Investigator/Prosecutor 6.1 Open files	Reviewed and discussed with LO.	FYI.
7.0 Adjudicative (Investigator/Prosecutor) 7.2 Consent Decree/Settlement Agreement/ Voluntary Surrender/Preliminary Agreement for Practice Restrictions 7.2.1 K. Wright, LNA (VS) #041935-24 7.2.2 K. Goodine, LNA (SA) #035724-24 7.2.3 S Westbrook, LNA (SA) 7.4 Dismissals (Proposed) 7.4.1 A. B., LNA (HF recused) 7.4.2 E. M., APRN (KK recused) 7.4.3 W. P., LNA	Previously reviewed. Previously reviewed. Previously reviewed. Previously reviewed. Previously reviewed.	M/TC, S/CS to accept Voluntary Surrender as proposed. Unanimous. M/TC, S/CS to accept Settlement Agreement as signed. Unanimous. M/TC, S/CS to approve Settlement Agreement as proposed. Unanimous. HF recused. M/TC, S/BF to accept recommendations as proposed. Unanimous. KK recused. M/TC, S/BF to accept recommendations as proposed. Unanimous. M/TC, S/BF to accept recommendations as proposed. Unanimous.

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7.4.4	A. C., LNA	Previously reviewed.	M/TC, S/BF to accept recommendations as proposed. Unanimous.
7.5	Recommendations (Proposed)		
7.5.1	D. B., APRN	Previously reviewed.	M/TC, S/BF to accept recommendations as proposed. Unanimous.
7.5.2	M. E., LNA	Previously reviewed.	M/TC, S/BF to accept recommendations as proposed. Unanimous.
7.5.3	J. B., LNA	Previously reviewed.	M/TC, S/BF to accept recommendations as proposed. Unanimous.
7.5.4	M. F. RN	Previously reviewed.	M/TC, S/BF to accept recommendations as proposed. Unanimous.
7.5.5	A. C., LNA (HF recused)	Previously reviewed.	M/TC, S/BF to accept recommendations as proposed. Unanimous.
7.5.6	C. A., RN	Previously reviewed.	M/TC, S/BF to accept recommendations as proposed. Unanimous.
8.0	Adjudicative (Executive Director)		
8.2	Recommendations (Proposed)		
	8.2.1 – 8.2.10 Letters of Concern and Dismissals (BF, LPN, recused Board member)	Previously reviewed.	M/TC, S/HF to accept recommendations as proposed for 8.2.1 – 8.2.4 and 8.2.6 – 8.2.10. Unanimous.
		8.2.5 removed from Consent Agenda for discussion.	M/AF, S/TC to deny recommendations to dismiss. Unanimous.
9.3	Licensure (Non-appearance)		
9.3.1	I. C., RN endorsement	Previously reviewed.	M/TC, S/HF to allow RN licensure in NH. Unanimous.

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9.3.2 K. N., LNA licensure	Previously reviewed.	M/TC, S/HF to allow LNA licensure in NH. Unanimous.
9.3.3 T. E., LNA licensure	Previously reviewed.	M/TC, S/HF to allow LNA licensure in NH. Unanimous.
9.3.4 K. R., LNA licensure	Previously reviewed.	M/TC, S/HF to allow LNA licensure in NH. Unanimous.
9.3.5 W. V., LNA licensure	Previously reviewed.	M/TC, S/HF to allow LNA licensure in NH. Unanimous.
9.3.6 J. B., LNA licensure	Previously reviewed.	M/TC, S/HF to allow LNA licensure in NH. Unanimous.
9.3.7 A. G., LNA licensure	Previously reviewed.	M/TC, S/HF to allow LNA licensure in NH. Unanimous.
10.0 Education		
10.1 Consideration for Continuing Approval Status		
10.1.1 MCPHS University Dr. G. Tobin	Reviewed and discussed June 24, 2014, site visit of MCPHS University with Gerard Tobin, Program Director.	M/TC, S/KK to grant <i>Full Continued Approval</i> to program and director. Unanimous.
10.1.2 St Joseph School of Nursing LNA Program	Previously reviewed. M/CS, S/TC to conduct non-public session for purpose of discussion of alleged licensee misconduct. Non-public session is authorized by RSA 91-A:3 II and Board's executive and deliberative privileges. Minutes of non-public session shall be sealed. Board voted as follows: Yea: CS, AF, JK, KK, BF, HF, TC, RP, NF Non-public session began at 9:55 a.m. and concluded at 10:02 a.m.	M/TC, S/BF to grant <i>Continued Approval</i> to program and coordinator. Unanimous.
10.2 New Programs		
10.2.1 Indiana State University	Reviewed and discussed AP's recommendations to	M/TC, S/KK to grant Full Initial Approval to on-

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<p>On-line LPN-BSN Program</p> <p>10.3 Educational Issues</p> <p>10.3.1 River Valley Community College Quarterly Report</p> <p>10.3.2 Lakes Region Community College Quarterly Report</p> <p>10.3.3 NCLEX Pass Rates, 2nd Quarter</p>	<p>approve on-line LPN-BSN Program offered by Indiana State University.</p> <p>Reviewed and discussed River Valley Community College quarterly report.</p> <p>Reviewed and discussed Lakes Region Community College Interim Report regarding low NCLEX pass rates.</p> <p>Reviewed and discussed NCLEX scores for 2nd quarter.</p>	<p>line LPN-BSN program pursuant to Administrative Rules. Unanimous.</p> <p>M/KK, S/TC to approve quarterly report. Unanimous.</p> <p>Board requests the following be submitted for review at September Board meeting:</p> <ul style="list-style-type: none"> Detailed timeline addressing plan for program improvement Recommendations for remediation to promote successful NCLEX scores for graduating seniors <p>Based on review of low NCLEX pass rates, Board requests presence of following nursing programs at September Board meeting to discuss analysis and outcomes of proposed corrective plans:</p> <ul style="list-style-type: none"> NHTI, Concord's Community College Keene State College Plymouth State College
<p>7.0 Adjudicative (Investigator/Prosecutor)</p> <p>7.1 Hearings</p> <p>7.1.1 A. Wilkinson, LNA #043238-24</p> <p>7.1.2 L. Dodge Suspended LNA #036457-24</p>	<p>Board reviewed and discussed Motion to Continue hearing.</p> <p>Hearing held for L. Dodge, LNA #036457-24, Docket #14-0414-0427-NA, pursuant to the Nurse Practice Act RSA 326-B and the administrative rules, Chapter 100 - 800, proceeded at 10:37 a.m. with N. Fortin, Board member presiding. Board members present: C. Smith (CS), J. Kuras (JK), H. Featherston (HF), T. Collins (TC), R. Petrin (RP), B. Fersch (BF), K. Kidder (KK), A. Finn-Waddell (AF) Board staff present: S. Goodness (SG), K. Dickson (KD), Laurel O'Connor, Hearing Counsel for Board of Nursing Reading of Notice of Hearing waived. Respondent present to offer testimony. Hearing concluded at 11:01 a.m.</p>	<p>M/TC, S/KK to accept Motion to Continue. Unanimous.</p> <p>M/TC; S/BF to affirm Hearing Counsel's Proposed Findings of Facts #1 - #18 as amended; affirm Hearing Counsel's Proposed Rulings of Law #1 - #4; affirm Hearing Counsels Proposed Sanctions #2 - #7; amend Hearing Counsel's Proposed Sanctions #1 to REVOKE LNA license and assess monetary penalty of \$1000 to deter future misconduct and to defray costs associated with investigation and prosecution of case to be paid within 90 days from effective date of Board's order. Respondent shall not seek reinstatement for at least 5 years. Unanimous. (See Docket #14-0414-0427-NA)</p>

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<p>7.1.3 A. Durgin, RN Suspended RN #062808-21</p>	<p>Reviewed and discussed Voluntary Surrender in lieu of hearing.</p> <p>M/CS, S/TC to conduct non-public session for purpose of discussion of alleged licensee misconduct. Non-public session is authorized by RSA 91-A:3 II and Board's executive and deliberative privileges. Minutes of non-public session shall be sealed. Board voted as follows: Yea: CS, AF, JK, KK, BF, HF, TC, RP, NF Non-public session began at 11:25 a.m. and concluded at 11:37 a.m.</p>	<p>M/TC, S/KK to accept Voluntary Surrender as proposed. Unanimous.</p>
<p>11.0 Practice Inquiries and Practice Committee Reports 11.1 Liaison (KK)</p> <p>11.2 P & E Committee (NF)</p> <p>11.3 Request for Board advice re: 11.3.1 LNA Scope of Practice Application of bi-pap/c-pap mask</p> <p>11.3.2 Electronic nursing delegation of medication administration</p>	<p>No meeting.</p> <p>No meeting.</p> <p>Reviewed and discussed question of whether or not LNA can apply bi-pap/c-pap mast to patient if settings are all set and verified by RN/LPN.</p> <p>Reviewed request for Board to opine on electronic nursing delegation of medication administration to non-licensed staff in assisted living.</p>	<p>Board consensus to send to P & E for recommendations.</p> <p>M/TC, S/KK to approve use of telemedicine services for nursing delegation. Unanimous.</p>
<p>12.0 Committee Reports and Recommendations 12.1 HeM 1201 (TC)</p> <p>12.2 Day of Discussion 12.2.1 RN/LPN Day of Discussion (AP)</p> <p>12.2.2 LNA Day of Discussion (LT)</p> <p>12.3 ADA (NF, AF, TC)</p>	<p>No report.</p> <p>Registration closed for August 26, 2014 Evening of Discussion.</p> <p>LT informed Board of "MNA Geriatric Boot Camp" to be held at Walker Building on September 4 and 10.</p> <p>No applicants.</p>	

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<p>9.0 Licensure issues</p> <p>9.2.1 A. Belisle, RN Endorsement Reconsideration of licensure</p> <p>9.2.2 P. Haken LPN Endorsement</p> <p>9.2.3 J. McKenzie Retake NCLEX-PN by comparable education</p>	<p>A. Belisle offered testimony in support of petition for RN licensure by endorsement.</p> <p>P. Haken offered testimony in support of petition for RN licensure by endorsement.</p> <p>J. McKenzie appeared before Board to request ability to retake NCLEX-PN by Comparable Education.</p>	<p>M/TC, S/KK to approve RN licensure in NH with proposed Settlement Agreement for Reprimand with conditions reciprocal with Vermont. Unanimous.</p> <p>M/TC, S/KK to deny request for NH RN licensure by endorsement until Respondent meets New Jersey stipulations as outlined in April 11, 2014 Board Order. Unanimous.</p> <p>M/TC, S/AF to permit her to take NCLEX-PN one more time. Unanimous.</p>
<p>8.0 Adjudicative (Executive Director)</p> <p>8.1 Requests for Reinstatement, Removal of Probation, Restrictions, Modifications or Conditions</p> <p>8.1.1 A. Nielsen, LNA #022594-24</p> <p>8.1.2 H. Treannie, LPN #013782-22</p>	<p>A. Nielsen appeared before Board to discuss positive ETG/ETS results in violation of Settlement Agreement of June 26, 2014.</p> <p>Reviewed and discussed request for modification of stipulations on LPN license.</p> <p>M/CS, S/TC to conduct non-public session for purpose of discussion of alleged licensee misconduct. Non-public session is authorized by RSA 91-A:3 II and Board's executive and deliberative privileges. Minutes of non-public session shall be sealed. Board voted as follows: Yea: CS, AF, JK, KK, BF, HF, TC, RP, NF Non-public session began at 2:10 p.m. and concluded at 2:20 p.m.</p>	<p>M/BF, S/KK to issue Letter of Concern. Any further positive results will result in discipline. Yea: BF, KK, HF, NF, TC, CS Nay: RP, AF, JK Motion carries to issue Letter of Concern.</p> <p>M/KK/S/TC to deny request for modifications to stipulations. Unanimous.</p>
<p>13.0 Legislation</p> <p>13.1 LTC Committee discussion</p>	<p>Reviewed and discussed minutes from Regulatory Work Group meeting. Three bills are being sent to</p>	

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	legislature.	
14.0 National Council	DN, NF, and AP attended National Council Annual Meeting held August 13 – 15. Presentations are available on NCSBN website to include Simulation Study as well as APRN Compact regulations.	
16.0 Correspondence/Articles/FYIs 16.1 Article, Jona’s Healthcare Law, Ethics, and Regulation “Development of a Standardized Medication Assistant Curriculum”	FYI.	
17.0 Adjournment	Next regular meeting: September 18, 2014 8:00 a.m. NH Board of Nursing Conference Room B119 121 South St Concord, NH 03301	Meeting adjourned at 2:22 p.m. Respectfully submitted, Denise Nies, MSN, RN, BC Executive Director